

REMARKS**I. Status of the Claims:**

Claims 1-55 are currently pending in the application.

The Applicants wish to thank the Examiner for the indication of allowable subject matter with respect to claims 18-21, 24, 34-37. The Applicants also wish to thank Examiner Underwood and Examiner Lauchman for the interviews of 1/29/07 and 2/6/07.

II. Claim Rejections under 35 U.S.C. § 103:

Claims 1-17 and 22 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Andeen et al. (US 6,355,994). Claim 23 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Andeen et al. in view of Nishi (US 6,841,323). Claim 25 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Andeen et al. in view of Yoshitake et al. (US 2003/0121022). Claims 26, 29, 32, 33, 38 and 52 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable by Nishi (US 2002/0018192, hereinafter Nishi '192). Claims 27, 28 and 31 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Nishi '192 in view of Yoshitake et al. (US 6,869,807, hereinafter Yoshitake '807). Claims 30 and 54 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Nishi '192. Claims 40-42 and 45-46 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Nishi '192 in view of Andeen et al. Claim 47 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over '192 in view of Andeen et al. and in further in view of Han et al. (US 6,477,898). Claims 43-44 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Nishi '192 in view of Watanabe et al. (US 6,437,864). Claims 48-51 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Nishi '192 in

view of Tanaka (US 6,940,582). Claims 53 and 55 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Nishi '192 in view of Yoshitake et al. During the interview, the Examiner indicated that the rejection of claims 30 and 54 should be under 35 U.S.C. § 102(b) instead of 35 U.S.C. § 103(a).

The Applicants respectfully traverse the rejections of the claims for the reasons set forth below.

A. Claim 1:

Claim 1 is directed to an arrangement in which the optical element is part of an optical system to guide light to expose.

Andeen does not disclose or suggest the above-noted aspect, as agreed upon with the Examiners during the Interview. Accordingly, claim 1 and its dependent claims are believed to be distinguishable over the cited references.

B. Claims 26 and 30:

Claims 26 and 30 are directed to arrangements in which the optical element is part of an optical system to guide light to expose a body.

On the contrary, the Applicants respectfully submit that the “fiducial mark plate FM” of Nishi '192 does not disclose or suggest “the optical element being part of an optical system to guide light to expose.” As is apparent from the description of paragraph [0321] of Nishi '192, the “fiducial mark plate FM” is a plate on which a mark for an alignment is formed and is evidently not a part of the “optical system to guide light to expose.” It is respectfully

submitted that one of ordinary skill in the art would not consider such a reading of Nishi '192 on the claimed "optical system to guide light to expose" to be of reasonable breadth.

Accordingly, claims 26 and 30 and their dependent claims are believed to be distinguishable over the cited references, individually or in combination. Reconsideration and withdrawal of the rejection of these claims are respectfully requested.

CONCLUSION

Based on the foregoing remarks, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION


The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment and Request for Reconsideration to Deposit Account No. 13-4500, Order No. 1232-5335.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5335.

Respectfully submitted,
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